



MEMORANDUM

Agenda Item No. 7(C)(1)(A)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed. D.
and Members, Board of County Commissioners

DATE: April 13, 2004

SUBJECT: Application for a Limited Certificate of
Transportation by J.G.T. Transportation, Inc.

FROM: George M. Burgess
County Manager

RECOMMENDATION

It is recommended that the Board approve the application of J.G.T. Transportation, Inc. for a Limited Passenger Motor Carrier Certificate of Transportation. The Limited Certificate for J.G.T. Transportation, Inc., is for transportation work under MDT Contract TA01-CS4.

BACKGROUND

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, relating to the regulation of Passenger Motor Carriers. These requirements and subsequent amendments were codified in Article III, Chapter 31 of the Code. Section 31-103 of the Code provides the procedure to be followed by Miami-Dade County in processing certificate applications. Based on those requirements, a public hearing has been scheduled before the Board of County Commissioners. At the conclusion of the public hearing, the Board may issue or refuse to issue the certificate, or issue the certificate with such modifications or upon such terms and conditions as in its judgment the public interest may require.

Section 31-103 (p) provides that a passenger motor carrier proposing to provide transportation services pursuant to a contract with Miami-Dade County for the provision of Miami-Dade Transit Agency services, may satisfy the passenger motor carrier certificate requirements by obtaining a Limited Certificate of Transportation. A holder of a Limited Certificate of Transportation must comply with all requirements of the Miami-Dade County Code pertaining to holders of a Certificate of Transportation; however, the requirements of Section 31-103(e) pertaining to hearings, notices, and administrative protest procedures and Section 31-103(f) pertaining to advance notice to certificate holders and applicants do not apply. The Limited Certificate of Transportation shall only authorize provision of transportation services pursuant to the contract for so long as the contract is in effect. A person who is issued a Limited Certificate of Transportation shall not lease or otherwise assign the right to operate under the certificate to any other person.

ANALYSIS

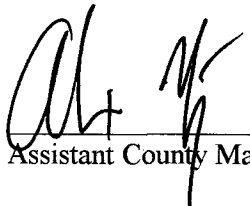
J.G.T. Transportation, Inc., located at 520 S. Krome Avenue, Homestead, Florida 33030, proposes to provide contract passenger transportation solely in accordance with the terms and conditions of MDT Contract TA01-CS4, which was approved by Resolution No. R-876-01. J.G.T. Transportation is a member of a pool of contractors who will provide transportation services using vans, minibuses and full size buses as determined by Miami-Dade County. Prior to this application, J.G.T. Transportation was utilizing only full size buses under the MDT contract. In order to provide transportation services using vans and minibuses, J.G.T. Transportation must be licensed under Chapter 31 and accordingly filed this application for a Limited Certificate.

The management plan submitted by Ms. Maria Gonzalez, President of J.G.T. Transportation, Inc., includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards to be met are outlined in the MDT contract. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

The attached resolution will approve J.G.T. Transportation, Inc. as holder of a Limited Passenger Motor Carrier Certificate, which is required for transportation services, pursuant to the contract, using vans and minibuses.

Resolution No. R-1404-98 prohibits the acceptance of applications for new Certificates of Transportation until amendments are made to Article III, Chapter 31 of the Code, unless one of the four conditions are met. One of the conditions is a finding of public interest. It is in the best interest of the County to approve this Limited Certificate in as much as it will enable MDT to make full use of this member of the pool of contractors for transportation services.

Attachments


Assistant County Manager

ARTICLE III. PASSENGER MOTOR
CARRIERS*

Sec. 31-101. Transportation policy.

To assure the development and maintenance of a safe, healthy and efficient passenger transportation system for Miami-Dade County, the Commission, County Manager and County staff, in carrying out the duties and responsibilities prescribed in this article, shall consider the following as being in the public interest:

- (1) Reliance on market forces and on actual and potential competition among all transportation modes, so as to provide transportation services at competitive prices.
- (2) Coordination of regulatory decision-making with the transportation improvement plan, and the orderly development of an integrated transportation/transit system for Miami-Dade County so as to ensure the development and maintenance of a transportation/transit system responsive to the needs of the public, in which regulatory decisions are reached fairly and expeditiously, and with consideration of their costs and benefits.
- (3) Improvement of motor vehicle safety.
- (4) Achievement of County, national and State energy conservation goals.
- (5) Reduced concentration of market power, and prevention of unfair, deceptive, predatory or anticompetitive practices.
- (6) Reduction of restrictive regulatory barriers to entry into the industry and promotion of equal opportunities.
- (7) Promotion of the safety and welfare of the residents and visitors of Miami-Dade County who use the services of passenger motor carriers to meet their transportation needs.

*Editor's note—Ord. No. 81-17, adopted Feb. 17, 1981, did not specify manner of codification; therefore, inclusion of §§ 2—16 as Art. III, §§ 31-101—31-115, has been at the editor's discretion.

MIAMI-DADE COUNTY

PUBLIC NOTICE

THE TRANSPORTATION COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS of Miami-Dade County, Florida will meet on Thursday, March 11, 2004, at 2:00 p.m., in the County Commission Chambers, Second Floor, Stephen P. Clark Center, 111 NW First Street, Miami, Florida to consider:

Resolution approving an application for a Limited Certificate of Transportation to J.G.T. Transportation, Inc., to provide limited passenger motor carrier services.

A person who decides to appeal any decision made by the Transportation Committee of the Board of County Commissioners, with respect to any matter considered at this hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

HARVEY RUVIN, CLERK

KAY SULLIVAN, DEPUTY CLERK



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: April 13, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(C)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)(1)(A)
4-13-04

RESOLUTION NO. _____

RESOLUTION APPROVING A LIMITED PASSENGER
MOTOR CARRIER CERTIFICATE OF
TRANSPORTATION FOR J.G.T. TRANSPORTATION,
INC., TO PROVIDE SERVICE AS A LIMITED
PASSENGER MOTOR CARRIER

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, this Board believes that it is in the best interest of the County to issue a Limited Passenger Motor Carrier Certificate of Transportation to J.G.T. Transportation, Inc. ,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes issuance of a Limited Passenger Motor Carrier Certificate of Transportation to J.G.T. Transportation, Inc., to provide limited passenger motor carrier services in Miami-Dade County, as recommended by the County Manager.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Sen. Javier D. Souto

Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorin D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 13th day of April, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. eks

By: _____
Deputy Clerk

Gerald K. Sanchez